

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN THE MATTER OF:

IVAN FRANCISCO GONZALEZ CARMONA

DEBTOR(S)

CASE NUMBER:08-01124 SEK

CHAPTER 13 (ASSET CASE)

DEBTOR'S MOTION UNDER SECTION 1329 OF THE BANKRUPTCY CODE

THE HONORABLE COURT:

COMES NOW, Debtor (s) through the undersigned attorney and respectfully ALLEGES and PRAYS:

1. That debtor (s) filed and circulated a MODIFIED PLAN to all parties in interest.

2. That the modification is based in that the Debtor (s) wants to amend their plan in order to:

a. Include provision for CRIM secured claim

3. Debtor (s) amend plan call for , twelve (12) payments of \$410.00, and forty eight (48)payments of \$ 600.00 for a total base of \$33,720.00 dollars with a provision for the payment of secured claim to CRIM.

WHEREFORE, Debtor (s) respectfully request from this Honorable Court to accept this motion and grant debtor (s) the opportunity to modify the confirmed plan according to 11 US 1329 and provide any other remedy it may deem appropriate.

NOTICE

"Parties in interest are notified the have twenty (20) days to reject a proposed modification of a plan and request a hearing. If no opposition is filed within the prescribed period of time, the Court will enter and order granting the motion upon the filing of a certificated of service by the movant that adequate notice was

given. Should and apposition be timely filed. The Court will schedule the motion for a hearing as a contested matter. Absent good cause, untimely rejections shall be denied".

In San Juan, Puerto Rico, this 30th, day of April, 2008.

I HEREBY CERTIFY: That I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following: Chapter 13 Trustee **José R. Carrión, Esq.**, US Trustee **Monsita Lecaroz Arribas** and to all those who in this case have registered for receipt of notice by electronic mail and I hereby certify that I have mailed by regular mail to all creditors listed on the attached Master Address List.

RESPECTFULLY SUBMITTED.

/s/ Marilyn Valdes Ortega
MARILYN VALDES ORTEGA

USDC PR 214711
P.O. Box 19559
San Juan, PR 00919-5596
Tel. (787) 758-4400
Fax. (787) 763-0144
E-mail valdeslaw@prtc.net

United States Bankruptcy Court
District of Puerto Rico

IN RE:

Case No. **08-01124 SEK**

GONZALEZ CARMONA, IVAN FRANCISCO

Chapter **13**

Debtor(s)

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: _____

☒ AMENDED PLAN DATED: **9/30/2008**

☐ PRE ☒ POST-CONFIRMATION

Filed by: ☐ Debtor ☐ Trustee ☒ Other

I. PAYMENT PLAN SCHEDULE

\$ **410.00** x **12** = \$ **4,920.00**
\$ **600.00** x **48** = \$ **28,800.00**
\$ _____ x _____ = \$ _____
\$ _____ x _____ = \$ _____
\$ _____ x _____ = \$ _____

TOTAL: \$ **33,720.00**

Additional Payments:

\$ _____ to be paid as a LUMP SUM
within _____ with proceeds to come from:

☐ Sale of Property identified as follows:

☐ Other:

Periodic Payments to be made other than, and in
addition to the above:

\$ _____ x _____ = \$ _____

PROPOSED BASE: \$ **33,720.00**

III. ATTORNEY'S FEES

(Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee

Disclosure Statement: \$ **3,000.00**

Additional Fees \$ 350.00
Adjusted balance \$ 3,350.00

Signed: /s/ IVAN FRANCISCO GONZALEZ CARMONA
Debtor

Joint Debtor

II. DISBURSEMENT SCHEDULE

A. ADEQUATE PROTECTION PAYMENTS OR \$ _____

B. SECURED CLAIMS:

☐ Debtor represents no secured claims.

☒ Creditors having secured claims will retain their liens and shall be paid as follows:

1. ☒ Trustee pays secured ARREARS:

Cr. **BANCO POPULAR D** Cr. _____
071010018243256 # _____
\$ **4,520.57** \$ _____

2. ☒ Trustee pays IN FULL Secured Claims:

Cr. **POPULAR AUTO** Cr. **CRIM** Cr. _____
82200102050170001 # _____
\$ **2,725.28** \$ **657.41**

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr. _____ Cr. _____ Cr. _____
_____ # _____ # _____
\$ _____ \$ _____ \$ _____

4. ☐ Debtor SURRENDERS COLLATERAL to Lien Holder:

5. ☐ Other:

6. ☒ Debtor otherwise maintains regular payments directly to:

BANCO POPULAR D

C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.
11 U.S.C. § 507 and § 1322(a)(2)

D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.

1. (a) Class A: ☐ Co-debtor Claims / ☐ Other: _____
☐ Paid 100% / ☐ Other: _____

Cr. _____ Cr. _____ Cr. _____
_____ # _____ # _____
\$ _____ \$ _____ \$ _____

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)
See Continuation Sheet

Attorney for Debtor: Marilyn Valdes Ortega Law Offices

Phone: **(787) 758-4400**

CHAPTER 13 PAYMENT PLAN

Continuation Sheet - Page 1 of 1

TRUSTEE TO PAY ATTORNEY'S FEES BEFORE ANY SECURED OR PRIORITY CREDITOR.

DEBTOR MAINTAINS PARTIAL DIRECT ALIMONY PAYMENTS IN FAVOR OF CECILIA GONZALEZ CONSISTING OF THE EXPENSES BOTH MEDICAL AND EDUCATIONAL AS WELL AS ALL THE NEEDS OF THE CHILD DURING DEBTOR'S VISITATION RIGHTS WHICH IS 182 DAYS OF THE YEAR.

ARREARS IN ALIMONY PAYMENT OF \$14,000.00 DOLLARS TO BE PAID BY THE TRUSTEE.

CONDITIONED TO THE OUTCOME OF THE REASSESSMENT/REDUCTION OF CHILD SUPPORT PAYMENT PENDING IN THE COURT OF INSTANCE OF SAN JUAN, ONCE A RULING IS MADE, DEBTOR WILL PROVIDE FOR ANY ARREARS SHOULD THAT BE THE CASE.

INSURANCE TO BANCO POPULAR OF PUERTO RICO AT END OF SALES CONTRACT IN THE APROXIMATE AMOUNT OF \$300.00, THROUGH UNIVERSAL INSURANCE COMPANY, PAYMENTS TO UNIVERSAL TO BEGIN AT THE END OF THE SALES CONTRACT.

DEBT TO POPULAR AUTO TO BE PAID BEFORE MORTGAGE WITH BANCO POPULAR IN ORDER TO LOWER AUTO INSURANCE EXPENSES.

ADEQUATE PROTECTION PAYMENTS TO BANCO POPULAR ON AUTO LOAN THROUGH THE TRUSTEE ON A MONTHLY BASIS OF \$100.00 UNTIL CONFIRMATION.

SECURED DEBT WITH CRIM TO BE PAID BY THE TRUSTEE.

TRUSTEE TO PAY ALIMONY PRE-PETITION ARREARS \$10,000.00 AND POST PETITION ARREARS OF \$4,000.00 (MARCH AND APRIL 2008)

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

*

IVAN FRANCISCO GONZALEZ CARMONA * CASE NUMBER 08-01124 SEK

*

Debtor(s)

*

CHAPTER 13 (ASSET CASE)

NOTICE OF FILING AMENDED PLAN
TO ALL THE CREDITORS LISTED ON THE ATTACHED
MASTER ADDRESS LIST

NOTICE IS HEREBY GIVEN THAT DEBTOR (S) FILED THE
ATTACHED PLAN ON SEPTEMBER 30, 2008

Parties in interest are hereby granted twenty (30) days from the date of notice to oppose the motion and request a hearing. If no opposition is filed within the prescribed period of time the Court will enter an order granting the motion upon the filing of a certificate by the movant that adequate notice was given. Should an opposition be timely filed, the Court will schedule the motion for a hearing as contested matter.

MARILYN VALDES ORTEGA
USDC PR 214711
P.O. BOX 195596
SAN JUAN, PR 00919-5596
Tel. (787) 758-4400
Fax. (787) 763-0144

In San Juan, Puerto Rico, this 30th, day of September, 2008.

I HEREBY CERTIFY: That I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following: Chapter 13 Trustee **Jose R. Carrion, Esq.**, US Trustee **Monsita Lecaroz Arribas** and to all those who in this case have registered for receipt of notice by electronic mail and I hereby certify that I have mailed by regular mail to all creditors listed on the attached Master Address List.

RESPECTFULLY SUBMITTED.

/s/ Marilyn Valdes Ortega
MARILYN VALDES ORTEGA
USDC PR 214711
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Label Matrix for local noticing
0104-3
Case 08-01124-SBK13
District of Puerto Rico
Old San Juan
Tue Sep 30 16:42:06 AST 2008

US Bankruptcy Court District of P.R.
U.S. Post Office and Courthouse Building
300 Recinto Sur Street, Room 109
San Juan, PR 00901-1964

BANCO POPULAR DE PR
PO BOX 366818
SAN JUAN PUERTO RICO 00936-6818

BANCO POPULAR PUERTO RICO
CARDONA JIMENEZ LAW OFFICE
PO BOX 9023593
SAN JUAN PR 00902-3593

CAROLA GARCIA LOPEZ
PO BOX 9022386
SAN JUAN, PR 00902-2386

DEPARTAMENTO DE HACIENDA
PO BOX 9024140
OFICINA 424 B
SAN JUAN, PR 00902-4140

FEDERAL LITIGATION DEPT OF JUSTICE
PO BOX 9020192
SAN JUAN, PR 00902-0192

FIRST BANK PUERTO RICO
FIA CARD SERVICES
PO BOX 15726
WILMINGTON, DE 19886-5726

(p) INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 21126
PHILADELPHIA PA 19114-0326

SCOTIABANK
PO BOX 362649
SAN JUAN, PR 00936-2649

BANCO POPULAR PR
CARDONA JIMENEZ LAW OFFICES
PO BOX 9023593
SAN JUAN, PR 00902-3593

AMERICAN EXPRESS
PO BOX 1270
NEWARK, NJ 07101-1270

BANCO POPULAR DE PR
PO BOX 70100
SAN JUAN, PR 00936-8100

BANCO SANTANDER
PO BOX 362589
SAN JUAN, PR 00936-2589

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PO BOX 9022386
SAN JUAN PR 00902-2386

DEPARTAMENTO DEL TRABAJO
AVE. MUÑOZ RIVERA 505
HATO REY, PR 00918-3352

FIA Card Services aka Bank of America
by eCAST Settlement Corporation
as its agent
POB 35480
Newark NJ 07193-5480

FIRST BANK PUERTO RICO
PO BOX 9146
SAN JUAN, PR 00908-0146

POPULAR AUTO
PO BOX 366818
SAN JUAN, PR 00936-6818

UNIVERSAL INSURANCE
PO BOX 9023862
SAN JUAN, PR 00902-3862

RECOVERY MANAGEMENT SYSTEMS CORP
25 SE 2ND AVENUE SUITE 1120
MIAMI, FL 33131-1605

American Express TRS Co, Inc Latin American
Division
c/o Becket and Lee LLP
POB 3001
Malvern PA 19355-0701

BANCO POPULAR DE PUERTO RICO
P.O. BOX 362708
SAN JUAN, PR 00936-2708

BANK OF AMERICA
PO BOX 15102
WILMINGTON, DE 19886-5102

CRIM
PO BOX 195387
SAN JUAN PR 00919-5387

Department of Treasury
Bankruptcy Section (424-B)
PO Box 9024140
San Juan, PR 00902-4140

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BANKRUPTCY DIVISION
P O BOX 9146
SAN JUAN PR 00908-0146

ISABEL RODRIGUEZ BONET
PO BOX 19917
SAN JUAN, PR 00910-1917

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DES MOINES, IA 50364-0001

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PO BOX 9023195
SAN JUAN, PR 00902-3195

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PO BOX 9023884
SAN JUAN, PR 00902-3884

MARILYN VALDES ORTEGA
VALDES-ORTEGA
P O BOX 195596
SAN JUAN, PR 00919-5596

MONSITA LECAROS ARIBAS
OFFICE OF THE US TRUSTEE (UST)
OCHOA BUILDING
500 TANCA STREET SUITE 301
SAN JUAN, PR 00901-1938

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Internal Revenue Service
Mercantil Plaza Bldg
2 Ponce de Leon Ave Suite 1014
San Juan, PR 00918-1693

End of Label Matrix	
Mailable recipients	33
Bypassed recipients	0
Total	33